

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
May 13, 2024**

Mayor Hutnick called the meeting to order at 7:00PM.

Mayor Hutnick led the Pledge of Allegiance.

ROLL CALL: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg, Mayor Hutnick

Absent: Alvarez

Also, in attendance was Robert McBriar, Borough Attorney and Mike Marceau, CFO

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, NJSA10:4-6 et.seq. have been satisfied with a schedule of all meetings, together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and NEW JERSEY SUNDAY HERALD and posted on the bulletin board in the Borough Hall on January 3, 2024.”

Councilman DeMeo moved Councilman Ciasullo seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of regular meeting minutes from April 22, 2024.
2. Approval of Resolution 42-2024 authorizing the agreement with Edmunds GovTech for software, professional, hosting and support services for tax and utility billing.
3. Accept for filing letter dated April 29, 2024 from Jake Kinney DPW Assistant Supervisor to Mayor and Council Re Tier A requirements.
4. Accept for filing letter dated April 29, 2024 from NJDOT re: NJDOT accepting grant applications for Fiscal Year 2025 State Aid Programs.
5. Accept for filing letter dated April 25, 2024 from NJDEP to Borough Clerk Re: Borough of Ogdensburg Flood Damage Prevention Ordinance.
6. Accept for filing Final Equalization table for the County of Sussex for the year 2024.
7. Accept for filing letter dated March 28, 2024, received April 24, 2024 from the Board of County Commissioners Re: Resolution in support of NJ assembly bill A4102 which allows Boards of the County Commissioners to remove Commissioners who miss three consecutive meeting without an excused absence.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

EXECUTIVE SESSION MINUTES

Councilman DeMeo made a motion to approve the executive session minutes from April 22, 2024. Seconded by Councilman Poyer.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

APPOINTMENT TO THE BOARD OF HEALTH

Councilman DeMeo made a motion to approve the following appointment to the Board of Health.

Member Albert Paoli unexpired three-year term 12-31-2025

Seconded by Councilman Poyer.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

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RESOLUTION 39-2024 APPOINTMENT OF POLICE OFFICER

Councilman DeMeo made a motion to adopt resolution 39-2024 authorize the appointment of Borough Police Officer to the Police Department Pursuant to the Certified List Promulgated by the New Jersey Civil Service Commission. Seconded by Councilwoman Cowdrick.

Chief Gordon explained we are doing a resolution tonight for one [police officer] we are doing the background check for a resolution for the next council meeting for the second one [police officer]. July 8 the academy starts; the graduation will be in November then we can put them on the road. One person is coming in with a little experience with corrections and the other one we are looking at has six years with corrections. They are both people that want to work here they are not looking to go to big departments they want to work in a small town. We are moving along.

Mayor Hutnick commented clearly you are happy with the choices of candidates. Chief Gordon commented extremely satisfied with their candor, attitude and their maturity.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg
Nays: None Absent: Alvarez Abstain None

RESOLUTION 40-2024 ACCEPTING BIDS FROM ONLINE AUCTION

Councilman DeMeo made a motion to a adopt resolution 40-2024 accepting bids for Borough Properties auctioned at public sale pursuant to Ordinance 01-2024, and further authorizing the execution of Real Estate Contracts. Seconded by Councilman Poyer.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg
Nays: None Absent: Alvarez Abstain None

RESOLUTION 41-2024 APPOINTMENT OF LABOR 1

Councilman DeMeo made a motion to adopt resolution 41-2024 appointment of labor 1 position to the Department of Public Works. Seconded by Councilman Ciasullo.

Mr. McBriar commented Robin had indicated there should be a discussion on the effective date and the starting salary.

Councilwoman Ruitenberg explained his start date would be Tuesday, May 28, and \$42,000 for salary.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg
Nays: None Absent: Alvarez Abstain None

INTRODUCTION TO ORDINANCE 09-2024

Councilman DeMeo made a motion to introduce an ordinance 09-2024 entitled "CAPITAL ORDINANCE OF THE BOROUGH OF OGDENSBURG, IN THE COUNTY OF SUSSEX, NEW JERSEY AUTHORIZING VARIOUS EQUIPMENT ACQUISITIONS IN, BY AND FOR THE WATER UTLITY OF THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$85,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND". Seconded by Councilman Poyer.

Public hearing will be held May 28, 2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

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Nays: None Absent: Alvarez Abstain None

ADOPTION OF ORDINANCE 06-2024

Councilman DeMeo made a motion to adopt Ordinance 06-2024 “AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STAE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE BOROUGH CODE ENTITLED “LAND DEVELOPMENT” RELATING TO THE BOROUGH’S BC, BOROUGH CENTER DISTRICT ZONE”. Seconded by Councilwoman Cowdrick.

Prior to final roll call Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 06-2024.

Mayor Hutnick explained the ordinance to the public.

There were no comments from the public.

Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 06-2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

ADOPTION OF ORDINANCE 08-2024

Councilman DeMeo made a motion to adopt Ordinance 08-2024 “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) Seconded by Councilman Poyer.

Prior to final roll call Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 08-2024.

There were no comments from the public.

Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 08-2024.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

MUNICIPAL FACILITIES AND RECREATION AREA APPLICATION

Councilman DeMeo made a motion to approve the Facility Use Application submitted by Michelle Nardini representing ORA for use of Heater Pond and to determine the seasonal fee. **(This application was tabled at the April 22, 2024).**

Seconded by Councilwoman Cowdrick.

Councilwoman Cowdrick explained we have no lifeguards as of today.

Mayor Hutnick commented the season isn’t starting until mid-June or end of June.

Councilwoman Cowdrick asked to table it until then.

Councilman DeMeo commented we have to tell them there is a possibility we might not have lifeguards.

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Councilwoman Cowdrick explained there have been emails going back and forth. We can't approve it at this time.

Ms. Hough asked to you want to table the application again?

Mayor Hutnick commented yes because we don't have any lifeguards.

There was a brief discussion on the life guard issue and the pond.

Councilman DeMeo asked for a roll call on tabling the application.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

OLD BUSINESS

Hiring of Police Officers – S. Ciasullo

This was already covered.

Budget – M. Marceau, CFO explained we will be adopting the budget next meeting.

Municipal Emergency Management Coordinator –

Mayor Hutnick asked Mr. McBriar if he had new information on that.

Mr. McBriar commented it is his understanding there was an impromptu meeting with County and State officials; they came to the Borough.

Mayor Hutnick commented basically every municipality is supposed to have an emergency management coordinator for emergency issues no matter what they may be. We had someone we need to replace that person; the State Police had come in because they are coordinating with all the towns to help setup emergency management and to coordinate with us to get somebody. The problem is the requirements to be an OEM coordinator; approximately 14 classes required and we are not finding anybody.

Mayor Hutnick commented in the interim he put his name out there as the interim.

Mr. McBriar explained he has some comments.

Mayor Hutnick commented fine but we have to have someone.

Mr. McBriar commented that is understood; he thinks they came hear with the directive that the Borough needs to fill that spot. It is clear they are monitoring it, that it is a priority and the Borough needs to do something. Perhaps on an interim basis. The term itself is a three-year term; the statue states that it is a mayoral appointment. It doesn't say or it is silent whether the Mayor can assume that position but his recommendation if the Mayor does serve as the interim OEM coordinator that this Council approve it, and that it be done on a voluntary non-salary basis. Mr. McBriar continued he thinks with some of those protections it may satisfy the stop gap until that position is filled. He thinks it is important for the minutes and the records to reflect that significant efforts were made by this Council and staff to fill that position because of the requirements indicated earlier has become a difficult task/challenge. The Statue does contemplate filling that role through a shared service agreement. There were changes in the law to facilitate that and another change with in the last couple of years that pertains to the residency requirement. No longer do you have to be a resident of the Borough but someone occupying that role must leave within a reasonable proximity of the municipality.

Mr. McBriar commented he thinks the legislator recognizes the challenges in filling these roles especially in a small municipality. Mr. McBriar commented Robin you can reiterate how important it was from the County and State level to immediately fill the roll. If it is the Council's prerogative to approve an interim OEM appointment on a non-salary voluntary basis and maybe

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peruse reaching out to a sister municipality and see if a shared service is workable and continue to canvas the area for interested members.

Councilman DeMeo commented to approve the interim tonight.

Mayor Hutnick commented we need to have somebody listed and that will allow us to continue to look for somebody to fill the term.

There was a brief discussion on reaching out to neighboring towns to consider a shared service and the requirements.

Mr. McBriar commented it is very important that the record reflect that significant efforts were made to find a qualified resident/candidate and if it is this Council's prerogative it would be appropriate to entertain a motion approving the Mayor's voluntary appointment to service as the acting OEM Coordinator without pay until such time that a OEM coordinator can be appointed.

Councilman DeMeo made that motion. Seconded by Councilman Ciasullo.

Upon Roll call Vote:

Yeas: Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: Alvarez Abstain None

Borough Hall Revitalization –

Councilman DeMeo commented we have a list; we are going to circulate the list next meeting.

First Aid Squad Building Discussion – No update

Heater's Pond – Councilwoman Cowdrick commented they did go up and look at all the growth in the lake and did a treatment on May 6.

Drug Alliance – No update.

Underground Storage Tanks – No update.

Financial Disclosure Statements – This can be removed.

Basketball Courts – Mayor Hutnick commented he reached out to the engineer about putting the fence back up; they wanted to know when the invoice was getting paid. Mayor Hutnick told them not until the fence gets put back up. As soon as it gets back up it will be complete.

Councilman DeMeo commented when it is complete they will get paid.

Registration for DPW classes-

Councilwoman Ruitenberg commented there is no update on that right now.

Lead Abatement Mandates – Mayor Hutnick explained he provided information at the last meeting. Mayor Hutnick explained to the public the new lead abatement mandates that the state is requiring.

NEW BUSINESS

NJDOT grant applications – Mayor Hutnick explained we need to pick two road in town to apply for grants. This will be looked into and the Council will decide on the two roads to apply a grant for at the next meeting.

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NJDEP Flood Damage Prevention Ordinance – Mayor Hutnick commented we are working with the engineer on this.

Summer hours – Councilwoman Ruitenberg commented in doing the interviews last week for the labor 1 position we had a discussion with Jake. On the County side our DPW and engineering department work a summer schedule to avoid the heat later on in the day. They have summer hours they work six to two instead of seven to three. This discussion came up and we didn't see any issues with them adjusting their day by an hour to not be out in the late day heat between two and three.

Mayor Hutnick asked if they start at six or six-thirty we have a noise ordinance that is one problem the second is what about the rest of the staff.

Councilwoman Ruitenberg commented that was the second part of it.

There was a discussion on DPW hours having summer hours in other towns.

Councilman DeMeo asked Mr. McBriar if we are going to make that change do we have to make an amendment to the handbook.

Mr. McBriar commented yea we would have to pull that section and revisit it.

There was a discussion on summer hours being from Memorial Day to Labor Day.

Councilwoman Cowdrick commented there is a second part of this to come up with summer hours for the office staff; we were thinking they get out early on a Friday and work later on a meeting night.

Councilwoman Cowdrick explained one possibility would be to stay open on night later.

Councilwoman Ruitenberg explained she thought about that but that wouldn't be for the rest of the year so that might confuse the public.

There was a discussion on summer hours.

Mayor Hutnick explained he would rather the staff work on this together.

Second Police Officer for June 1 Academy – Already discussed.

Lead line replacement – Councilman Ciasullo commented he spoke to four other towns; basically, everyone is in the same position as we are and how involved is the water operator. A few towns have started digging to look a some of the lines. There is also funding but there isn't much information on that yet. Brian from Franklin was extremely helpful.

There was a discussion on the lead line replacement tying into the lead paint mandates.

Employee Raises –

Councilwoman Ruitenberg commented she doesn't have all her information yet.

Mayor Hutnick commented we need to get that locked in.

Councilwoman Ruitenberg suggested if anybody else wants to do anything with that; she is ok with doing this but she does have a fulltime job.

Mayor Hutnick asked what information are you seeking.

Councilwoman Ruitenberg explained other areas and how much everyone in other towns make.

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Mr. Marceau explained he has that information and will send it to everyone.

Councilman DeMeo commented he thinks we should all be prepared at the next meeting to either vote yes or no.

Grant Update- Councilman DeMeo explained after the last meeting he reached out to Bruno regarding the police grant and because of the size of our force we are only eligible for one; the max is two but you have more than 10 officers. They think we will be good for applying for one; they will be reaching out to the Chief for information.

Councilman DeMeo explained an email that came out from Senator Kean office regarding major systems improvement; they put in for improvements for water upgrades for five million. It takes them a year to go through the requests to tell us if we are going to be on the list. If we make the list it is another year before we get money. Whatever we accept from them we have to do a twenty percent match.

Councilman DeMeo commented he is also going to ask them [Bruno] about lead line grants.

Historical Society

Mayor Hutnick commented everyone has an invitation from the Historical Society for June 1st; please review and respond.

PUBLIC SESSION

Councilman DeMeo moved, Councilwoman Cowdrick seconded motion to open the public session of the meeting. All were in favor.

Judy Perentin, Ogdensburg Historical Society explained the dinner is June 1st celebrating 40 years of our Historical Society please RSVP. Also, the museum will be open the fourth Sunday of every month. This month it will be open May 26, that is Memorial Day weekend and the fourth Sunday after that. Ms. Perentin explained the fund raiser they are working on.

Kristine Banek and Jennifer Bounassi owners for Gemma's Country Kitchen addressed the Council. Ms. Banek explained a water bill that they were billed for that was too high. She doesn't know how to ask for a fair adjustment to the bill. They changed the meter out they didn't find anything wrong with it but when they changed it was corrected so there was definitely a problem.

Mayor Hutnick commented he will speak to Regina from the water department regarding this matter, put something together and discuss it.

There was a discussion on not receiving water bills.

There being no further business from the public, Councilman DeMeo moved, Councilman Ciasullo seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

There was no executive session.

PAYMENT OF VOUCHERS

Councilman DeMeo made a motion to review payment of vouchers and review departmental finance reports. Seconded by Councilwoman Cowdrick.

Upon Roll call Vote:

Yeas: Alvarez, Ciasullo, Cowdrick, DeMeo, Poyer, Ruitenberg

Nays: None Absent: None Abstain: None

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CURRENT

DATE	CHEC K #	PAID TO	AMOUNT
4/24/202	4 34535	JCP&L	1,974.31
4/24/202	4 34536	Sussex County Lock and Safe	79.96
5/13/202	4 34537	Action Data Services, Inc.	1,959.02
5/13/202	4 34538	Airgas USA	208.26
5/13/202	4 34539	Allied Oil	1,387.31
5/13/202	4 34540	Bassani Power Equipment, LLC	67.98
5/13/202	4 34541	Blue Diamond Disposal, Inc.	21,912.45
5/13/202	4 34542	Brightspeed	56.45
5/13/202	4 34543	Brightspeed	50.75
5/13/202	4 34544	Bullseye Calibration of NJ	145
5/13/202	4 34545	Certified Speedometer Service, Inc	176
5/13/202	4 34546	Complete Security Systems, Inc.	29.2
5/13/202	4 34547	Dolan & Dolan Esqs.	1,279.51
5/13/202	4 34548	Draeger, Inc.	254.9
5/13/202	4 34549	Eco Logic Environmental Testing Inc	3,050.00
5/13/202	4 34550	Elizabethtown Gas	107.18
5/13/202	4 34551	Elizabethtown Gas	132.4
5/13/202	4 34552	Elizabethtown Gas	104.25
5/13/202	4 34553	Elizabethtown Gas	487.5
5/13/202	4 34554	Fred Yarosz Janitorial Services LLC	463
5/13/202	4 34555	Home Depot	61.01
5/13/202	4 34556	Horizon BC/BS of NJ	2,666.51
5/13/202	4 34557	JCP&L	1,827.73
5/13/202	4 34558	JCP&L	113.7
5/13/202	4 34559	JCP&L	4,578.80

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5/13/202	4	34560	JCP&L						2,485.83
5/13/202	4	34561	Lafayette Auto Parts						308.4
5/13/202	4	34562	LINA						216
5/13/202	4	34563	Lumen Technologies Group						125.62
5/13/202	4	34564	Mathew Bender & Co. Inc.						79
5/13/202	4	34565	Montague Tool & Supply Co						383.89
5/13/202	4	34566	Municipal Capital						119
5/13/202	4	34567	My Corporate Hosting Solutions, LLC						272.25
5/13/202	4	34568	Napa Auto Parts						378.94
5/13/202	4	34569	Ogdensburg Board of Education						220,164.00
5/13/202	4	34570	One Call Concepts, Inc.						20.02
5/13/202	4	34571	Quadient Leasing USA, Inc.						411.3
5/13/202	4	34572	ReadyRefresh						2.89
5/13/202	4	34573	Rutgers, The State University of NJ						481
5/13/202	4	34574	Staples Business Advantage						233.42
5/13/202	4	34575	Statewide Insurance Fund						13,300.25
5/13/202	4	34576	Statewide Insurance Fund						33,433.50
5/13/202	4	34577	Sussex County Municipal Utility						77.05
5/13/202	4	34578	Township of Sparta						10,000.00
5/13/202	4	34579	Verizon Business						100.58
5/13/202	4	34580	Verizon Business						113.7
5/13/202	4	34581	Verizon Wireless						121.37
5/13/202	4	34582	Witmer Public Safety Group, Inc.						549

2/26/202	4	34377	Sussex County Lock & Safe	79.96	4/24/2024	LOST CHECK			
3/25/202	4	34442	JCP&L	1,974.31	4/24/2024	LOST CHECK			
									326,550.19
									=====
									326,550.19
				-2,054.27	**	Voided checks issued in an earlier period			
									=====
									324,495.92

ADMIN TRUST

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DATE	CHECK #	PAID TO	AMOUNT
5/13/2024	2203	International Laminating	202.44

			202.44
			=====
			202.44

GRANT FUND

DATE	CHECK #	PAID TO	AMOUNT
5/13/2024	34583	Lake Management Sciences	3,549.50
5/13/2024	34584	Sussex County Municipal Utility	300

			3,849.50
			=====
			3,849.50

DOG FUND

DATE	CHECK #	PAID TO	AMOUNT
5/13/2024	314	NJ Dept of Health & Senior Services	10.8

			10.8
			=====
			10.8

PAYROLL

DATE	CHECK #	PAID TO	AMOUNT
5/13/2024	1319	AFLAC	844.44

			844.44
			=====
			844.44

WATER

DATE	CHECK #	PAID TO	AMOUNT
5/13/2024	4	5366 Agra Environmental Serv	81
5/13/2024	4	5367 Braen Aggregates, LLC	350.45
5/13/2024	4	5368 Hamburg Plumbing Supply	204.66

